

CONFIDENTIAL

OLC 75-0091

16 January 1975

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Pat Holt, Chief of Staff, and Richard M. Moose, Senate Foreign Relations Committee staff

1. Met with Pat Holt, Chief of Staff, and Richard M. Moose, Senate Foreign Relations Committee staff, for a preliminary discussion regarding a meeting with Chairman John Sparkman (D., Ala.) and the Director to discuss ways and means of reporting to the Foreign Relations Committee on Agency covert activities as required by the recent amendment to the Foreign Assistance Act of 1961 (Section 662).

2. Holt indicated that no decision has been made as to which members of the Committee would receive these reports and said the Chairman would probably take this up with the Committee at an early date. I told him the Director is most anxious to have his preliminary meeting with the Chairman and to make his report on the President's findings under the law as soon as possible.

3. In discussing some of the complexities of this arrangement, Mr. Moose said he felt the Committee should establish some sort of an "appeal mechanism" by which the members could take issue with the finding of the President on any particular item. I pointed out that of course the law makes no provision for approval on the part of the committees but merely requires reports to them. (Mr. Moose's point is well taken, however, for if no mechanism is established whereby the committees can express their reservations or objections to certain of the President's findings on covert activities, it makes the alternative of public disclosure an easy recourse.)

4. I told Messrs. Holt and Moose that I thought this would have to be something for the Committee to work out with the White House, since I didn't think they would want the Director to serve as their messenger in this respect and they agreed. I also urged Holt to give

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the Director an opportunity to speak with Chairman Sparkman on this subject before a meeting is formalized in the Committee, adding that the Director is very concerned about the proliferation of sensitive information under this amendment and the need for very stringent security controls. I suggested that Holt try to set this meeting up for either Friday or Monday of next week.

5. It is clear from these conversations and my earlier talk with Holt that he plans to include Moose as well as himself in the briefings on these programs. I urged, however, that staff access to this information go no further. I also brought up the problem we have encountered on the House side under House Rule #11 (c) whereby any member of Congress can gain access to the transcript of any committee or subcommittee session. I said that Chairman Thomas E. Morgan (D., Pa.), House Foreign Affairs Committee, and Marian Czarnecki, Chief of Staff for the Committee, seemed to agree to an arrangement whereby these briefings would be given orally without an official transcript, but that I would take minutes of the sessions which would be reviewed for accuracy by Czarnecki and kept in the Agency's records subject to call of the Chairman. Holt said he thought this kind of an arrangement would not work with the Senate committee and asserted that a transcript of the hearing would serve to protect the Director and the Committee if an issue ever arose as to precisely what was discussed at these sessions. It was agreed that we would both think these matters over and, of course, include them in the discussions with the Chairman and the Director.

6. I took this opportunity to raise with Holt the status of discussions between Mr. O'Neill and himself on the subject of inclusion of agreements negotiated with foreign countries by the Agency in the international agreements required under law for submission to the Foreign Relations Committee. Holt had raised a question with Mr. O'Neill about one particularly sensitive activity. We both agreed that it was probably covered in a State Department agreement which had been submitted to the Committee, although neither of us could state this with certainty. Holt said he was not particularly concerned about this one program but at some future time would like to talk with us further on this subject.

[Redacted Signature]

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